

### **REMARKS**

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1, 3-11 and 13-20 are currently being prosecuted. The Examiner is respectfully requested to reconsider the rejections in view of the Amendments and Remarks as set forth hereinbelow.

### **CLAIM FOR PRIORITY**

It is gratefully acknowledged that the Examiner has recognized the Applicant's claim for foreign priority. In view of the fact that the Applicant's claim for foreign priority has been perfected, no additional action is required from the Applicants at this time.

### **DRAWINGS**

It is gratefully acknowledged that the Examiner has approved the Formal Drawings submitted by the Applicant. The drawings comply with the requirements of the USPTO. No further action is necessary.

### **OBJECTION TO THE SPECIFICATION**

As the Examiner will note, pages 1 and 4 of the specification have been amended to delete the reference to the claims. In addition, the Abstract of the Disclosure has been

amended to delete the claim wording such as “comprising” and “said.” The specification now complies with US Patent Practice.

#### REJECTION UNDER 35 USC 112

Claims 1-20 stand rejected under 35 USC 112 as being indefinite. This rejection is respectfully traversed.

As the Examiner will note, the claims have been amended to incorporate the Examiner’s helpful suggestions. Positive antecedent basis has been provided for all claimed elements. All of the suggested corrections have been incorporated into the present amendment except for:

Claim 6, the “machine” and the “traverse direction” are now positively recited in claim 1;

Claim 8, the “machine” is now positively recited in claim 1; and

Claim 11, the “press shoe” is positively recited in claim 11, line 2.

#### REJECTION UNDER 35 USC 102

Claims 1-5, 7-11 and 13-19 stand rejected under 35 USC 102 as being anticipated by Saarinen, US 4,713,147. Claims 1, 7, 11 and 20 stand rejected under 35 USC 102 as being anticipated by Gustavsson et al, US 7,172,679. These rejections are respectfully traversed.

At the outset, claim 2 has been cancelled and the subject matter added to claim 1. It is respectfully noted that the Examiner did not reject claim 12 based on prior art. Claim 12 has been cancelled and the subject matter has been added to claim 11. It is respectfully submitted that claims 1, 3-11 and 13-20 are not anticipated by the prior art cited by the Examiner. In addition, in view of the fact that claim 12 was not rejected based on prior art, claims 11 and 13-20 should now be in condition for allowance.

As set forth in Section 2131 of the MPEP Original Eight Edition, August 2001 Latest Revision February, 2003, page 2100-70:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. Of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)....  
“The identical invention must be shown in as complete detail as is contained in the ... claims.” *Richardson v. Suzuki Motor Co.*, 868 F2d 1226, 1236, 9 USQP2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 is directed to a combination of method steps wherein:

A method is provided for changing a distribution of a loading pressure prevailing in a press nip of a shoe press, which shoe press comprises a number of adjacent loading elements (K) acting on the press shoe (70), a first end of said elements being supported on a supporting beam (12) of the shoe press and another end on the press shoe (70);

the method includes the following steps:

moving the loading elements (K) in a machine direction (MD) in a space between the press shoe (70) and the supporting beam (12) by acting on the loading element (K) at least at the end adjacent to the press shoe;

arranging at least one transfer element (225, 226, 185) in conjunction with the press shoe (70) wherein the at least one transfer element is moved in a transverse direction (CD) of a machine and by means of which a backing element (28) of the loading element (K) is moved directly or via a transmission mechanism in such a manner that the end adjacent to the press shoe is moved in the machine direction (MD) in relation to the press shoe (70), and that the end of the loading element adjacent to the supporting beam (12) can be caused to freely assume a position in relation to the supporting beam (12), preferably at least during a transfer.

The Saarinen patent discloses a solution in which loading elements or corresponding structure can be moved in the machine direction. A problem with all the prior-art solutions is that they provide only limited possibilities of adjustment. In addition, to make an adjustment, it has been necessary to dismantle the whole shoe press structure and only then carry out the adjustment. In prior-art solutions, typically one half of the loading element is fixedly locked to the supporting structures or to the press shoe. This imposes limitations on the adjustment.

An object of an embodiment of the present invention is to achieve a completely new type of solution for the loading unit of a shoe press that will allow the draw-backs of prior art to be avoided. Another object of an embodiment of the invention is to achieve a shoe press loading unit that will make it possible e.g. to vary the distribution of compression of the shoe

press in a versatile manner. A further object of an embodiment of the invention is to achieve an adjustment solution that can be used without dismantling the structure of the shoe press.

The Saarinen patent neither discloses nor suggests that in the method on the loading element is acted, as claimed, at least at the end adjacent to the press shoe by at least one transfer element arranged in conjunction with the press shoe, which transfer element is moved in the transverse direction of the machine and by means of which the backing element of the loading element is moved directly or via a transmission mechanism in such manner that the end adjacent to the press shoe is moved in the machine direction in relation to the press shoe, and that the end of the loading element adjacent to the supporting beam can be caused to freely assume a position in relation to the supporting beam, preferably at least during the transfer.

The Saarinen patent does not discloses nor suggest that the means for moving at least the end of the loading element adjacent to the press shoe, as claimed, comprise at least one transfer element arranged in conjunction with the press shoe, which transfer element is movable in the transverse direction of the machine and by means of which the backing element of the loading element is moved directly or via a transmission mechanism, and that the apparatus comprises means for reducing lateral forces between supporting beam and the end of the loading element adjacent to the supporting beam.

As set forth in the background section of the present application, the actuating device of the shoe press has a row of hydraulic loading cylinders under the shoe. Typically, the press shoe must be set according to the surface of the backing roll and bend according to the

curvature of the backing roll surface. The press shoe must also transmit the horizontal nip forces to the supporting structures of the shoe roll. The press shoe typically assumes inside the shoe roll a spatial shape that the loading cylinder under it has to effectively follow.

The Gustavsson et al patent merely discloses a press device with an extended press nip for pressing a continuous paper web. The Gustavsson et al does not disclose the method steps as set forth in amended claim 1.

It is respectfully submitted that claims 1 and 3-10 are novel over the Saarinen and Gustavsson et al patents. As discussed above, claim 12 has been cancelled and the subject matter added to claim 11. In view of the fact that the Examiner did not reject claim 12 based on prior art, claims 11 and 13-20 are patentable over the prior art cited by the Examiner.

#### REQUEST FOR INTERVIEW

If the Examiner has any questions with regard to this application please contact the undersigned so that an interview can be arranged in connection with this application.

#### CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

In view of the above amendments and remarks, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

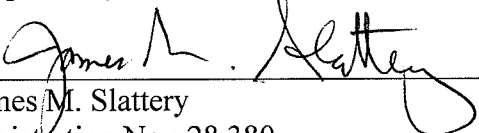
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. A full and complete response has been made to the outstanding Office Action. The present application is now in condition for allowance.

A prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: March 17, 2009

Respectfully submitted,

By   
James M. Slattery

Registration No.: 28,380

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant